AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EUREKA AMENDING CHAPTER 37 OF THE EUREKA MUNICIPAL CODE ADDING SECTION 37.21, RANKED CHOICE VOTING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:

WHEREAS, the City Council finds …; and

WHEREAS, the City of Eureka desires …

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EUREKA DOES HEREBY ORDAIN AS FOLLOWS:

<u>**SECTION 1**</u>. Section 37.21 is hereby added to Chapter 37 of the City of Eureka Municipal Code to read as follows

§ 37.21 RANKED CHOICE VOTING.

    A. ***DEFINITIONS.*** For purposes of this chapter, the following words, terms and phrases have these definitions:

        1. ***RANKED CHOICE VOTING.*** "Ranked Choice Voting" means an election system in which voters rank the candidates for office in order of preference, and the ballots are counted in rounds that simulate a series of runoffs until one candidate receives a majority of votes. Ranked choice voting is also known as "instant runoff voting."

        2. ***MAJORITY OF VOTES.*** "Majority of votes" means fifty percent (50%) plus one of the votes cast on continuing ballots.

        3. ***CONTINUING BALLOT.*** "Continuing ballot" means a ballot that counts towards a continuing candidate.

        4. ***CONTINUING CANDIDATE.*** "Continuing candidate" means a candidate that has not been eliminated.

        5. ***CHOICE.*** "Choice" means an indication on a ballot of a voter's assigned ranking of candidates (i.e., first choice, second choice, third choice, etc.) for any single office according to the voter's preference.

        6. ***VOTE.*** "Vote" means a ballot choice that is counted toward the election of a candidate. During each round of counting, each continuing ballot contains one vote. All first choices are votes and lower ranked choices are potential runoff votes that may, in accordance with the requirements of this chapter, become votes and subsequently credited for a continuing candidate.

7. ***ROUND OF COUNTING.*** "Round of counting" or "round" means a step in the counting process during which votes for all continuing candidates are tabulated for the purpose of determining which a candidate has achieved a majority of the votes cast for a particular office, and, absent as majority, which candidate or candidates must be eliminated.

8. ***NEXT RANKED.*** "Next ranked" means the highest ranked choice for a continuing candidate.

B. ***GENERAL PROVISIONS.***

1. Ranked choice voting elections for the offices of Mayor and City Councilmember must be conducted according to the procedures in this Chapter.

2. Ranked choice voting will commence with the 2022 General Municipal Election and continue for all general municipal elections thereafter.

3. The Humboldt County Registrar of Voters must agree to the request for all election services that allow the City to use ranked choice voting and consolidation of the election prior to the use of ranked choice voting.

C. ***RANKED CHOICE VOTING BALLOT.***

1. In any contest conducted by ranked choice voting with three (3) or more qualified candidates, including qualified write-ins, the ballot shall allow voters to rank candidates in order of choice.

2. If feasible, the ballot shall allow voters to rank as many choices as there are qualified candidates. In the event that the voting equipment cannot feasibly accommodate a number of rankings on the ballot equal to the number of qualified candidates, that ballot may limit the number of choices a voter may rank to the maximum number allowed by the equipment, provided the ballot must allow the voter to rank at least six (6) choices.

3. The ballot must not interfere with a voter's ability to rank a write-in candidate.

D. ***TABULATION.***

1. The ballots for each seat must be counted in rounds.

   a. In the first round, every ballot counts as a vote for the first choice candidate on that ballot.

   b. If no candidate receives a majority, the candidate receiving the fewest number of votes is eliminated.

      c. Every ballot counting towards the eliminated candidate is then advanced to the next-ranked continuing candidate. All the continuing ballots for all continuing candidates are counted again in a new round.

      d. After any round, if any candidate receives a majority of votes from the continuing ballots, that candidate shall be declared the winner.

  E. *TIES.* In the event that two (2) or more candidates tie for the fewest number of votes, the candidate to be eliminated will be chosen by lot.

SECTION 2. The City Clerk will certify to the adoption of this Ordinance and will cause the same or a summary thereof to be published as required by law.

SECTION 3. This Ordinance takes effect and will be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the ____ day of _____, 2020 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

_____
Mayor Pro Tem

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the ____ day of _____, 2020, and hereby approved.

_____
Susan Seaman, Mayor

Approved as to Administration: *Approved as to form:*

_____, City Manager   _____
Robert N. Black, City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the_____ day of _____, 2020.

_____
Pamela J. Powell, City Clerk